

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION  
CORPORATION,**

Plaintiff-Applicant,

v.

**BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,**

Defendant.

Adv. Pro. No. 08-01789 (SMB)

**SIPA LIQUIDATION**

(Substantively Consolidated)

In re:

**BERNARD L. MADOFF,**

Debtor.

**IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,**

Adv. Pro. No. 12-01670 (SMB)

Plaintiff,

v.

**CRÉDIT AGRICOLE CORPORATE AND  
INVESTMENT BANK D/B/A CRÉDIT  
AGRICOLE PRIVATE BANKING MIAMI,  
F/K/A CALYON S.A. D/B/A CRÉDIT  
AGRICOLE MIAMI PRIVATE BANK,  
SUCCESSOR IN INTEREST TO CREDIT  
LYONNAIS S.A.,**

Defendant.

**CERTIFICATION TO COURT OF APPEALS BY ALL PARTIES<sup>1</sup>**

A notice of appeal having been filed in the above-styled matter on March 16, 2017 (ECF No. 42), Irving H. Picard (the “Trustee”), as trustee of the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC (“BLMIS”), under the Securities

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<sup>1</sup> This certification complies with Official Bankruptcy Form 424.

Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff, individually, and Crédit Agricole Corporate and Investment Bank d/b/a Crédit Agricole Private Banking Miami, f/k/a Calyon S.A. d/b/a Crédit Agricole Miami Private Bank, successor in interest to Credit Lyonnais S.A., who are the appellant and the appellee, hereby certify to the court under 28 U.S.C. § 158(d)(2)(A) that a circumstance specified in 28 U.S.C. § 158(d)(2) exists as stated below.

Leave to appeal in this matter:

- is required under 28 U.S.C. § 158(a)  
 is not required under 28 U.S.C. § 158(a)

This certification arises in an appeal from a final judgment, order, or decree of the United States Bankruptcy Court for the Southern District of New York entered on March 6, 2017 (ECF No. 41).

An immediate appeal from the judgment, order, or decree may materially advance the progress of the case or proceeding in which the appeal is taken. See 28 U.S.C. § 158(d)(2)(A)(iii).

*[Remainder of page intentionally left blank]*

SIGNED: April 4, 2017  
New York, New York

By: /s/ Matthew B. Lunn  
**YOUNG CONAWAY STARGATT &  
TAYLOR, LLP**  
Rockefeller Center  
1270 Avenue of the Americas, Suite 2210  
New York, New York 10020  
Telephone: (212) 332-8840  
Facsimile: (212) 332-8855  
Matthew B. Lunn  
Email: mlunn@ycst.com  
Justin P. Duda  
Email: jduda@ycst.com

*Attorneys for Appellant Irving H. Picard,  
Trustee for the Substantively Consolidated  
SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of  
Bernard L. Madoff*

By: Lisa Vicens  
**CLEARY GOTTLIEB STEEN &  
HAMILTON LLP**  
One Liberty Plaza  
New York, New York 10006  
Telephone: (212) 225-2000  
Facsimile: (212) 225-3999  
Lawrence B. Friedman  
Lisa Vicens  
Email: lfriedman@cgsh.com

*Attorneys for Appellee Crédit Agricole  
Corporate and Investment Bank d/b/a Crédit  
Agricole Private Banking Miami, f/k/a  
Calyon S.A. d/b/a Crédit Agricole Miami  
Private Bank, successor in interest to Credit  
Lyonnais S.A.*